

TITLE 83: PUBLIC UTILITIES
CHAPTER I: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER f: TELEPHONE UTILITIES

PART 757
TELEPHONE ASSISTANCE PROGRAMS

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AUTHORITY: Implementing Sections 13-301 and 13-301.1 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/13-301, 13-301.1 and 10-101].

SOURCE: Adopted at 13 Ill. Reg. 14366, effective October 1, 1989; amended at 14 Ill. Reg. 17923, effective October 15, 1990; emergency repealer at 15 Ill. Reg. 5082, effective March 25, 1991, for a maximum of 150 days; Part repealed at 15 Ill. Reg. 11929, effective August 12, 1991; new Part adopted at 16 Ill. Reg. 17981, effective December 15, 1992; amended at 20 Ill. Reg. 15257, effective December 1, 1996; emergency amendments at 21 Ill. Reg. 16416, effective December 10, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 8810, effective May 9, 1998; amended at 23 Ill. Reg. 11875, effective October 1, 1999; amended at 28 Ill. Reg. 346, effective January 1, 2004; amended at __ Ill. Reg. _____, effective _____.

Section 757.10 Definitions

For the purpose of this Part:

"Act" means the Public Utilities Act [220 ILCS 5].

"Administrator" means the entity that administers the Federal Communications Commission's (FCC) universal service support mechanisms in accord with 47 CFR 54, subpart H, as of ~~October 1, 1997~~ July 22, 2004. This incorporation does not include any later amendments or editions.

"Commission" means the Illinois Commerce Commission.

"Customer service center" means any office, operated by a local exchange carrier, where applications for service can be made in person.

"Eligible new subscriber" is an applicant for local exchange service who meets the eligibility guidelines set forth in Section 757.425. As used in this Part, a subscriber who meets the eligibility criteria set forth in Section 757.425 who relocates his principal place of residence is also an eligible new subscriber.

"Eligible subscriber" is any individual currently subscribing to local exchange service who meets the eligibility guidelines set forth in Section 757.425.

"Eligible telecommunications carrier" has the meaning given to it at 47 CFR 54.5 as of July 22, 2004 ~~October 1, 1997~~. This incorporation does not include any later amendments or editions.

"Installation charge" means those tariffed charges assessed for connecting an eligible new subscriber to the network. These charges do not include security deposit requirements.

"LEC" means "local exchange carrier", which is a telecommunications carrier providing local service as defined in Section 13-204 of the Act [220 ILCS 5/13-204].

"Lifeline" means the retail local service offering defined and established at 47 CFR 54.401 et seq., as of July 22, 2004 ~~October 1, 1997~~, and in which all Illinois eligible telecommunications carriers shall participate as provided in Section 757.400. This incorporation does not include any later amendments or editions.

"Link Up Program" or "Link Up" means the Link Up Assistance program defined and established at 47 CFR 54.411 et seq., as of July 22, 2004 ~~October 1, 1997~~, and in which all Illinois eligible telecommunications carriers shall participate as provided in Section 757.100. This incorporation does not include any later amendments or editions.

"Local exchange service obligation" means those tariffed charges assessed on a monthly basis for access to the network. These charges do not include taxes.

"Program" or "plan" means the telephone assistance programs offered by LECs and eligible telecommunications carriers under this Part.

"Proxy Program(s)" include the following assistance programs, as identified in 47 CFR 54.409(b) as of July 22, 2004 ~~October 1, 1997~~:

Medicaid; food stamps; Supplemental Security Income; federal public housing assistance (Section 8); ~~or~~ Low-Income Home Energy Assistance Program; National School Lunch Program's free lunch program; or Temporary Assistance for Needy Families. This incorporation does not include any later amendments or editions.

"Qualifying low-income subscriber" has the meaning given to it at 47 CFR 54.400 as of July 22, 2004 ~~October 1, 1997~~. This incorporation does not include any later amendments or editions.

"Staff" means individuals employed by the Illinois Commerce Commission.

"Toll blocking" is a service provided by carriers that lets consumers elect not to allow the completion of outgoing toll calls from their telecommunications channel and has a meaning consistent with 47 CFR 54.400 as of July 22, 2004 ~~October 1, 1997~~. This incorporation does not include any later amendments or editions.

"Toll control" is a service provided by carriers that allows consumers to specify a certain amount of toll usage that may be incurred on their telecommunications channel per month or per billing cycle, and has a meaning consistent with 47 CFR 54.400 as of July 22, 2004 ~~October 1, 1997~~. This incorporation does not include any later amendments or editions.

"Toll limitation" means both toll blocking and toll control.

"UTSAP" means the Universal Telephone Service Assistance Program in which all Illinois LECs shall participate as provided in Section 757.200.

"UTSAP Administrator" is the Illinois not-for-profit corporation responsible for the administration of the UTSAP as described in Section 757.215.

"Waiver" means any reduction in a participant's initial telephone service installation charge or local exchange service obligation in the amount established under the provisions of this Part.

(Source: Amended at __ Ill. Reg. _____, effective _____)

Section 757.100 Link Up Service Requirement

- a) ~~No later than January 1, 1998, each~~ Each eligible telecommunications carrier shall participate in the "Link Up" program adopted by the FCC in

47 CFR 54.411 et seq. as of July 22, 2004 ~~October 1, 1997~~. This incorporation does not include any later amendments or editions.

- b) As part of its participation in the program identified in subsection (a), each eligible telecommunications carrier shall implement a 50% waiver, of up to \$30, of the telephone service installation charge. The waiver shall be applicable to the primary service order, central office and premise visit components of the service connection charges and shall be provided to each qualifying low-income subscriber as specified in Section 757.125.
- c) In addition, each eligible telecommunications carrier shall offer any qualifying low-income subscriber the opportunity to enter into a deferred payment arrangement for the remaining installation charges, up to \$200. Eligible new subscribers shall be given no more than one year to retire the remaining installation charges, and the eligible telecommunications carrier shall refrain from applying interest charges to such amounts for such period.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

Section 757.200 Service Requirement

- a) Each LEC shall participate in the Universal Telephone Service Assistance Program (UTSAP) as required and authorized by Section 13-301.1 of the Public Utilities Act and as ordered by the Commission. All voluntary contributions received by a LEC under Section 757.205 from the date of initial participation until a determination is made by the Commission under Section 757.200(b) shall be forwarded to the UTSAP Administrator consistent with the provisions of Section 757.210(d). The UTSAP Administrator shall invest these funds in:
 - 1) Securities backed by the United States government or its agencies;
 - 2) Investment grade bonds with remaining terms to maturity of three years or less;
 - 3) Mutual funds that invest no less than 80% of their assets in bonds backed by the United States government or its agencies;
 - 4) Investment grade bonds, with weighted-average remaining terms to maturity of three years or less; or
 - 5) Federal Deposit Insurance Corporation (FDIC)-insured certificates of deposit, FDIC-insured money market accounts, and other cash equivalent FDIC-insured investments.

- b) On July 1 of each year, the UTSAP Administrator shall file with the Commission a petition requesting the Commission to determine the amount of supplemental assistance, if any, the LECs shall provide each eligible new subscriber or eligible subscriber under the programs set forth in subsection (c) of this Section. The petition shall contain recommendations of the UTSAP Administrator as provided in Section 757.215(e)(5). The Commission may enter an order without a hearing; however, a hearing shall be held if requested by a party or by Staff within 30 days after the date the petition is filed, and a hearing may also be held on the Commission's or the Hearing Examiner's own motion. The Commission shall determine, subject to the availability of funds, the amount of supplemental assistance, if any, the LECs shall provide each eligible new subscriber or eligible subscriber under the programs set forth in subsection (c) of this Section.
- c) The UTSAP may provide assistance or, in the case of customers of eligible telecommunications carriers, supplement the assistance provided by the Link Up Program as described in Subpart B and/or the Lifeline Program as described in Subpart D through:
 - 1) a waiver of the telephone service installation charges for eligible new subscribers, which, in the case of eligible telecommunications carriers, is in addition to that provided in Section 757.100(b);
 - 2) a waiver of all or a portion of the local exchange service obligation of eligible subscribers or eligible new subscribers, which, in the case of eligible telecommunications carriers, is in the form of State Lifeline service support; or
 - 3) a combination of both subsections (c)(1) and (2) above as ordered by the Commission under subsections (b), (d), and (e).
- d) Limitation of eligibility
 - 1) If the Commission determines that a waiver of all or a portion of the local exchange service obligation should be provided by the UTSAP, in the form of State Lifeline service support or otherwise, the Commission may, if it deems necessary, limit eligibility under Section 757.425(a) to:
 - A) one or more of the individual Proxy Programs identified in the definition of "Proxy Programs" in Section 757.10, or
 - B) one or more subprograms within, or components of, an individual Proxy Program.

- 2) Any proposals to limit eligibility pursuant to this subsection (d) shall be made as part of the petition filed annually under subsection (b) of this Section.
- 3) The Commission shall adopt a proposal that limits eligibility for the Lifeline Program to one or more Proxy Programs or subprograms or components thereof pursuant to this subsection (d) only if it finds that:
 - A) participation in the Proxy Program, subprogram, or component thereof can be verified;
 - B) the funds available to the UTSAP from voluntary contributions are sufficient and predictable, so as to permit the UTSAP to provide State Lifeline support to all subscribers or all new subscribers within the Proxy Program, subprogram, or component on an ongoing basis;
 - C) the proposal will increase accessibility to telephone service;
 - D) the proposal adequately considers the needs of and potential benefits to participants in the Proxy Programs; and
 - E) the proposal establishes narrowly targeted qualification criteria that are based solely on income or factors directly related to income, consistent with 47 CFR 54.409 as of July 22, 2004 ~~October 1, 1997~~. This incorporation does not include any later amendments or editions.
- e) The Commission, on its own motion, or based upon a petition filed by the UTSAP Administrator, may order the LECs to temporarily suspend payment of or temporarily reduce the amount of the supplemental assistance provided under the programs set forth in Section 757.200(c), if the total program costs exceed, or will exceed, the funds available from contributions specified in Section 757.205. If the Commission suspends or reduces the amount of payments under this Section, the Commission shall determine, subject to the availability of funds, the amount of supplemental assistance, if any, the LECs shall provide each eligible new subscriber or eligible subscriber under the programs set forth in subsection (c) of this Section.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

Section 757.400 Lifeline Service Requirements

- a) ~~No later than January 1, 1998 each~~ Each eligible telecommunications carrier shall participate in the Lifeline Program adopted by the FCC in 47 CFR 54.400 et seq. as of July 22, 2004 ~~October 1, 1997~~. This incorporation does not include any later amendments or editions.
- b) As part of its participation in the program identified in subsection (a) of this Section, each eligible telecommunications carrier shall implement a low-income assistance program characterized by a reduction of \$1.75 in access line charges for qualifying low-income subscribers. Unless the Commission enters an order under Section 757.200 determining that UTSAP funds shall be used as State Lifeline service support, eligible low-income subscribers of eligible telecommunications carriers will receive monthly support of ~~\$5.25~~ \$1.75 plus the amount of the carrier's end user common line charge, as determined by the FCC.
- c) Eligible telecommunications carriers shall offer toll limitation without charge to all qualifying low-income consumers at the time such consumers subscribe to Lifeline service. If the consumer elects to receive toll limitation, where available, that service shall become part of the consumer's Lifeline service.
- d) Each eligible telecommunications carrier shall file information with the Administrator demonstrating that its Lifeline plan meets the criteria set forth in 47 CFR 54.400 et seq. as of ~~October 1, 1997~~ July 22, 2004, and stating the number of qualifying low-income individuals and the amount of State assistance. This incorporation does not include any later amendments or editions.
- e) Eligible telecommunications carriers may not collect a service deposit in order to initiate the Lifeline service, if the qualifying low-income consumer voluntarily elects toll ~~blocking~~ limitation service from the carrier, where available. If toll ~~blocking is~~ limitation services are unavailable, the carrier may charge a service deposit.
- f) Eligible telecommunications carriers may not disconnect Lifeline service for non-payment of toll charges.
- g) Eligible telecommunications carriers may not charge Lifeline customers a monthly number-portability charge.

(Source: Amended at __ Ill. Reg. ____, effective _____)

Section 757.EXHIBIT D Lifeline Recertification Ineligibility Notice

NOTICE OF REMOVAL FROM THE LIFELINE WAIVER PROGRAM

LEC (UTILITY) NAME _____

LEC PHONE # _____

Customer Name _____

Address _____

City, State, Zip _____

Phone Number _____

Account Number _____

Records show that you are not receiving benefits under one of the following programs:

Food Stamps
Medicaid
Supplemental Security Income
Federal Public Housing Assistance
Low-Income Home Emergency Assistance Program
National School Lunch Free Lunch Program
Temporary Assistance to Needy Families

You will therefore be removed from the Lifeline Program.

TO AVOID REMOVAL IF YOU ARE STILL RECEIVING BENEFITS

1. If you are still receiving benefits under one of the above listed programs, call the applicable agency.
2. If the agency has your name on their master list, then call your LEC.

IF YOU NEED TO REAPPLY

1. If you reapply for benefits under one of the programs listed above and the agency grants your application before (Date) _____, call your LEC to have your eligibility checked.
2. If your application is granted by the agency after (Date) _____, you can reapply for the Lifeline benefits by calling your LEC.
3. There will be no retroactive Lifeline benefits between the time that your benefits are discontinued and the time that your application is approved.

REMOVAL IN ERROR

If you believe that the agency has improperly terminated you from one of the listed programs, you must resolve this with the applicable agency.

If your benefits are continued while the dispute is pending, your Lifeline benefits will also be continued.

If your benefits are not continued while the dispute with the applicable agency is pending, you will not receive Lifeline benefits until you have won your appeal.

Call your LEC to let them know if your benefits are being continued and/or if you have won your appeal.

There will be no retroactive Lifeline benefits between the time that your benefits are discontinued and the time that your application is approved.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

Section 757.EXHIBIT E Link Up/Lifeline Programs Certification Form

**ELIGIBLE TELECOMMUNICATIONS CARRIERS LINK UP/LIFELINE
PROGRAMS CERTIFICATION FORM**

NAME _____ DATE ISSUED ____ / ____ / ____

ADDRESS _____ APARTMENT _____

CITY _____ ZIP CODE _____

COUNTY _____ AGE _____

SOCIAL SECURITY
NO. _____

PUBLIC AID CASE
NUMBER _____

~~For which benefits do you wish to apply?~~

~~Link up Connection Fee Assistance (waiver of up to 50% of the initial telephone connection fee)~~

~~Lifeline Local Exchange Service Assistance (Assistance) with monthly telephone bills)~~

~~UTSAP Connection Assistance (Supplemental Telephone Connection Fee Assistance)~~

~~UTSAP Monthly Assistance (Supplemental Assistance with Monthly Telephone Bills)~~

Are you a participant as of this date of application in one of the programs listed below?

In which program(s) do you currently participate?

Food Stamps

Medicaid

Supplemental Security Income (SSI)

Federal Housing Assistance Program

Low-Income Home Energy Assistance Program (IHEAP)

National School Lunch Free Lunch Program

Temporary Assistance to Needy Families

Under penalty of perjury, I confirm that I participate in the above stated program(s). I will notify my provider of local exchange service in the event I cease to participate in the program(s). By my signature below, I give the Social Security Administration permission to inform my local exchange telephone company whether or not I am entitled to Supplemental Security Income benefits as of the date of this application.

SIGNED _____ DATE _____

(Source: Amended at ___ Ill. Reg. _____, effective _____)